

Members of this House a second thought is being given to Section 94A. The amendment that is going to be finally moved in this House, I am sure, will be acceptable to the House.

Sri K. PRABHAKAR.—Sir, what about my suggestion ?

Sri H. V. KOUJALGI.—It is a question of law and it will be examined.

Mr. SPEAKER.— Shall we sit up to 2 'O' Clock ?

HON'BLE MEMBERS.—Yes.

Mr. SPEAKER. - The time is extended up to 2 P.M.

I shall now put the Statutory Resolution to the vote of the House.

The question is :

“ That this Assembly disapproves the Ordinance No. 8 of 1969, namely ‘The Mysore Land Revenue (Second Amendment) Ordinance, 1969’ promulgated on 23rd day of October 1969 by the Governor of Mysore.”

The Resolution was negatived.

Mr. SPEAKER.—The question is :

“ That the Mysore Land Revenue (Amendment) Bill, 1970, be taken into consideration.”

The motion was adopted.

(iii) Motion to refer to a Select Committee

Sri H. N. NANJE GOWDA.—I beg to leave of the House to move :

“That the Mysore Land Revenue (Amendment) Bill, 1970, be referred to a Select Committee consisting of the following members, viz.

Sriyuths:—

M. Nagappa
K. H. Ranganath
L. Srikantiah
H. Siddaveerappa
K. H. Srinivasa
D. M. Siddaiah
S. V. Agnihotri.”

Mr. SPEAKER.—Motion moved :

“That the Mysore Land Revenue (Amendment) Bill, 1970 be referred to a Select Committee consisting of the following members, viz.,

Sriyutbs:—

M. Nagappa

K. H. Ranganath

L. Srikantaiah

H. Siddaveerappa

K. H. Srinivasa

D. M. Siddaiah

S. V. Agnihotri.”

†ಶ್ರೀ ಎಚ್. ಎನ್. ನಂಜೇಗೌಡ.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಸಾರ್ವಜನಿಕ ಅಭಿಪ್ರಾಯಕ್ಕೆ ಈ ಮಸೂದೆಯನ್ನು ಕಳುಹಿಸಬೇಕೆನ್ನುವ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ನಾನು ಮಂಡಿಸಬೇಕೆಂದು ಇದ್ದೆ. ಆದರೆ ಶ್ರೀಮಾನ್ ಕೌಜಲಗಿವರು ಬಹಳ ಒಳ್ಳೆಯವರು ಮತ್ತು ಸದಸ್ಯರ ಅಭಿಪ್ರಾಯವನ್ನು ತಿಳಿದುಕೊಂಡು ಅದಕ್ಕೆ ಮನ್ನಣೆ ಕೊಟ್ಟು, ಏನರ ಹಿತರಕ್ಷಣೆಯನ್ನು ಮಾಡಬೇಕೆಂದಿರವರಲ್ಲಿ ಅವರು ಒಬ್ಬರು ಆಗಿರುವುದರಿಂದ ಈ ವಿಧಿಗಳಲ್ಲಿ ಕಂಡುಬರುವ ರೋಪದೋಷಗಳನ್ನು ನಿವಾರಣೆ ಮಾಡುವುದಕ್ಕಾಗಿ ಇದನ್ನು ಸೆರೆಕ್ಕೆ ಕಮಿಟಿಗೆ ಹಾಕುತ್ತಾರೆ ಎಂಬ ನಂಬಿಕೆಯಿಂದ ಈ ನನ್ನ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದೇನೆ. ಶ್ರೀಮಾನ್ ಕೌಜಲಗಿವರು ಈ ವಿಧಿಗಳಲ್ಲಿರತಕ್ಕ ರೋಪದೋಷಗಳನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಿ ಮುಂದೆ ಬಡ್ವೆಟ್ ಅಧಿವೇಶನದ ಹೊತ್ತಿಗೆ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ನೂಟನೆ ಮಾಡುತ್ತೇನೆ ಎಂದು ಅವರು ಅನ್ನುವುದಾದರೆ ಇದನ್ನು ನಾನು ಪಾಶಸ್ಸು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ತಯಾರಾಗಿದ್ದೇನೆ. ಏಕೆಂದರೆ ಇದರ ಮೂಲ ಉದ್ದೇಶ ಬಡತನ ನಿವಾರಣೆಯಾಗಬೇಕು. ಬಡವರಿಗೆ ಜಮೀನು ಸಿಕ್ಕಬೇಕು ಅಂತ ಅನ್ನುವುದಾಗಿದೆ. ಆದರೆ ಬಡವರಿಗೆ ಜಮೀನು ಸಿಕ್ಕತಕ್ಕ ಖಾತ್ರಿ ಈಗ ಇರತಕ್ಕ ಈ ವಿಧಿಯಿಂದ ಆಗುವುದಿಲ್ಲ. ಇದರಲ್ಲಿ ರಾಜಕೀಯಕ್ಕೂ ಕೂಡ ಅವಕಾಶವಾಗಬಹುದು. ಆದ್ದರಿಂದ ಇದರಲ್ಲಿ ಯಾವ ರೋಪದೋಷಗಳಿಗೂ ಕೂಡ ಎಡೆಕೊಡದ ಹಾಗೆ ಮಾಡುತ್ತಾರೆ ಎಂಬ ನಿಗದಿ ಇಲ್ಲ, ರೂಲ್ಸ್ ಮಾಡುವುದೂ ಕೂಡ ಸರ್ಕಾರಕ್ಕೆ ಬಿಟ್ಟಿದ್ದಾರೆ. ನಾಳೆ ರೆವಿನ್ಯೂ ಮಿನಿಸ್ಟರಾಗಿರುವವರು ಬದಲಾವಣೆಯಾಗಿ ಬಿಡಬಹುದು. ಮಿನಿಸ್ಟರಾಗಿರುವ ಲಕ್ಷ್ಮಪ್ಪನವರು ರೆವಿನ್ಯೂ ಮಿನಿಸ್ಟರು ಆಗಬಹುದು. ಆದ್ದರಿಂದ ಇಂಥವರಿಗೇ ಜಮೀನನ್ನು ಕೊಡುತ್ತೇವೆ ಅಂತ ಅನ್ನುವುದು ಮೂಲ ವಿಧಿಯಲ್ಲಿ ತೀರ್ಮಾನವಾದರೆ ಯಾವ ರೋಪದೋಷಗಳಿಗೂ ಕೂಡ ಅವಕಾಶವಿರುವುದಿಲ್ಲ. ನಮ್ಮ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ರಾಜಕೀಯ ಸೌತಸ್ತರು ಕೆಲವರಗೆ 61ರಲ್ಲಿ ಜಮೀನು ಗ್ಯಾಂಟ್ ಮಾಡಿದ್ದಾರೆ. ಅದನ್ನು ಅವರು ಅನುಭವಿಸಿಕೊಂಡು ಬಂದಿದ್ದಾರೆ. ಬಡವರಿಗೆ ಅನುಕೂಲವಾಗತಕ್ಕ ರೀತಿಯಲ್ಲಿ ಕಾನೂನು ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಅದ್ದರಿಂದ ಇದನ್ನು ಸೆರೆಕ್ಕೆ ಕಮಿಟಿಗೆ ಹಾಕಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

Sri H. V. KOUJALGI.—Sir, I would have accepted the proposal of my Hon'ble friend to refer this to the Select Committee, but the purpose will not be served, because there is nothing to amend under the original section itself. The object will be achieved by framing the rules. I have already assured the House that the rules will be framed immediately and I assure that I will send a copy to each Member and draw attention to the subject and after hearing their objections and taking their advice, it will be finalised. I request him not to press his amendment. I also share his anxiety that poor people should be helped and I am equally anxious about the interest of the poor people. Therefore, I am not able to accept his amendment.

ಶ್ರೀ ಎಚ್. ಎನ್. ನಂಜೇಗೌಡ.—ಈ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಬಿಲ್ಲನ್ನು ಸೆರೆಕ್ಸ್ ಕಮಿಟಿಗೆ ಕಳುಹಿಸಬೇಕೆಂದು ನನ್ನ ಸಲಹೆ. ಸರ್ಕಾರದವರೇ ಇದನ್ನು ಪ್ರಪೋಜ್ ಮಾಡಿದರೆ ನಾನು ನನ್ನ ಮೋಷನ್ ವಿತ್‌ಡ್ರಾ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ. I beg leave to withdraw the amendment.

The amendment was by leave of the House withdrawn.

CLAUSE 2

Mr. SPEAKER.—I will put the various clauses to vote. There are no amendments. I will put clause 2. The question is:

“That clause 2 do stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

CLAUSE 3

Mr. SPEAKER.—That question is:

“That clause 3 do stand part of the Bill.”

There is an amendment by Sri L. Srikantiah. He may move it if he likes.

ಶ್ರೀ ಎಲ್. ಶ್ರೀಕಂಠಯ್ಯ.—ಈ ಸಂದರ್ಭದಲ್ಲಿ ನನ್ನ ಅಮೆಂಡ್‌ಮೆಂಟ್‌ನ್ನು ಮೂವ್ ಮಾಡುವುದು ಉಚಿತವಾಗಿ ಕಾಣುವುದಿಲ್ಲ. ಏಕೆಂದರೆ ಮಂತ್ರಿಗಳು ನಮ್ಮ ಸಲಹೆಗಳನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತಾ ಇಲ್ಲ. I am not moving my amendment, Sir.

Sri K. H. RANGANATH.—Sir, under the Act, Section 44 gives the power of review to the Tribunal. As it is litigants had that remedy. They could have asked the courts which gave verdict to review its judgement also. Since the amendment is sought to sections 49 and 50, the Divisional Commissioner cannot exercise that power of review since that power is not available to the Court under sections 49 and 50. So I request the Hon'ble Minister to think about this and bring a suitable amendment to sections 49 and 50.

Further, section 202A says specifically that no appeal lies to the Divisional Commissioner.

ಶ್ರೀ ಎಲ್. ಶ್ರೀಕಂಠಯ್ಯ.—ಮಾನ್ಯ ರಂಗನಾಥರವರು ಪ್ರಾಮುಖ್ಯವಾದ ಒಂದು ವಿಚಾರವನ್ನು ನಮ್ಮ ಗಮನಕ್ಕೆ ತಂದಿದ್ದಾರೆ. ಸೆಕ್ಷನ್ 56ರಲ್ಲಿ ರ್ಯಾಂಡ್ ರೆವಿನ್ಯೂ ಆಕ್ಟ್‌ನಲ್ಲಿ Power of Revision ಎಂದು ಕೊಟ್ಟಿದೆ. ಅದಕ್ಕೆ ತಾವು ಕೆಲವು ತಿದ್ದುಪಡಿಗಳನ್ನು ತಂದು ಆ ಕೆಡ್ ಪಡಿಗೆ Review ಎನ್ನುವ ಪದ ಹಾಕಿದ್ದೀರಿ.

If an aggrieved party under section 44 files an application before the Tribunal by virtue of powers vested under section 44, it can entertain that application. It conflicts with section 56 which clearly states that review power is vested in the Government. How shall we reconcile these two sections? It is a very important thing that Sri Ranganath has brought to the notice of the House and we must be grateful to him.

Sri K. H. RANGANATH.—Section 202A is a new section inserted in the year 1956. It reads :

“ Notwithstanding anything contained in sub-section (1) or sub-section (2) or in any enactment or law repealed by sub-section (1) or any other law, in respect of any order made or proceedings disposed of by any officer subordinate to the Divisional Commissioner under any enactment or law, repealed by sub-section (1) or any rule or order made under such enactment, or law, no appeal shall lie to the Divisional Commissioner, but an appeal shall lie to the Tribunal as if the Tribunal were the appellate Authority under such enactment and such appeal shall be disposed of by the Tribunal in accordance with the provision of such enactment, law, rule or order.”

There is a bar under section 202A. Unless it is suitably amended the purpose of amending section 49 would be defeated. Therefore I request the Hon. Minister to consider this also.

Sri H. V. KOUJALGI.—Sir, so far as review powers under section 44 is concerned, I think the legal opinion is that the Tribunal's powers of review is limited to review its own order. So the question of amending that section does not arise.

So far as section 202 is Concerned, this refers only to orders of the Deputy Commissioner under repealed Acts. So the question does not arise.

Mr. SPEAKER.—I will now put the clause. The question is :

“ That clause 3 do stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

CLAUSE 4

Sri L. SRIKANTAI AH.—Sir, I am not moving my amendment to clause 4.

Mr. SPEAKER.—The question is :

“ That clause 4 do stand part of the Bill ”

The motion was adopted.

Clause 4 was added to the Bill.

CLAUSE 5

Sri L. SRIKANTAI AH.—Sir, as regards my amendments to clause 5, in the amended section review power is sought to be conferred on the

Government, and the review power hitherto exercised by the Tribunal is taken away. I wish again this review power is vested with the Tribunal because it is in consonance with the settled policy of the Government as far as possible to separate the judicial functions from the executive functions.

Mr. SPEAKER.—The Hon. member has not moved them. He may first move them.

Sri L. SRIKANTAI AH.—I do not like to move the amendment.

Mr. SPEAKER.—The question is :

“ That clause 5 do stand part of the Bill ”

The motion was adopted.

Clause 5 was added to the Bill.

CLAUSE 6

Sri L. SRIKANTAI AH.—Sir, I am not moving my amendment to clause 6.

Mr. SPEAKER.—The question is :

“ That clause 6 do stand part of the Bill ”.

The motion was adopted.

Clause 6 was added to the Bill.

CLAUSE 7

Sri H. V. KOUJALGI.—Government wants to drop this clause altogether.

Mr. SPEAKER.—Then, the question of amendment does not arise. So, I shall put the clause to the House. The question is:

“ That clause 7 do stand part of the Bill ”.

The motion was negatived.

Clause 7 was deleted for the Bill.

CLAUSE 8

Mr. SPEAKER.—The question is : That clause 8 do stand part of the Bill. There is an amendment by Sri K. H. Srinivas .

Sri K. H. SRINIVAS.—Sir, I beg to move:

For the proposed section 94A, the following section shall be substituted, namely :—

“94A. *Regularisation of certain cases of unauthorised occupation.* Nothing in section 94 shall prevent the Deputy Commissioner if the person liable to be evicted under that section who has unauthorisedly occupied the land prior to the first day of July 1968 and who satisfied such other conditions (including the extent of land held by him) so desires, to grant the land or any portion thereof to such person in accordance with such rules relating to restriction, terms and conditions, including the sum payable not exceeding twice the market value of such land, as the State Government may make.”

Mr. SPEAKER.—Amendment moved :

“For the proposed section 94A, the following section shall be substituted, namely.—

“94A. *Regularisation of certain cases of unauthorised occupation.*—Nothing in section 94 shall prevent the Deputy Commissioner if the person liable to be evicted under that section who has unauthorisedly occupied the land prior to the first day of July 1968 and who satisfied such other conditions (including the extent of land held by him) so desires, to grant the land or any portion thereof to such person in accordance with such rules relating to restriction, terms and conditions, including the sum payable not exceeding twice the market value of such land, as the State Government may make.”

Sri K. H. SRINIVAS.—Sir, I have brought this amendment with due consideration to the feelings and the grave concern that have been expressed by several members regarding the possibility of misuse of this enabling provision by the richer landed interests.

Sri B. L. NARAYANASWAMY.—Sir, I rise to a point of order. In the list furnished to us, I do not see any amendment tabled by the Hon. Member Sri Srinivas. In the order of precedence my amendment should have been taken up.

Mr. SPEAKER.—The Hon. Member's complaint is well-founded though there is no point of order. The Hon. Minister had given an amendment but he does not want to move it now. In its place, the Hon. Member Sri Srinivas is moving another amendment which is probably acceptable to the Government. I am sorry I could not circulate it and that is why it was read out by him.

Sri B. L. NARAYANASWAMY.—What is the special privilege Sri Srinivas is enjoying? My amendment should have been taken first.

Mr. SPEAKER.—There is no such special privilege. Probably it is as good as an amendment by the Government itself, and ordinarily

Government amendment has got precedence over others. For the sake of convenience, instead of the Hon. Minister moving it, the Hon. Member Sri Srinivas is moving it.

† Sri K. H. SRINIVAS.—Sir, while sharing the trust that has already been expressed amply with regard to the intentions of the Government, it would not reflect on the Government if we insist that the intentions should be more explicit than contained in the original clause. The original clause is rather leaving the entire thing to the rules to be framed thereafter. So, what I have endeavoured to do by bringing this amendment is only to provide sufficient explicit conditions in the original amendment itself so as to ensure the real purpose with which it was brought. As could be seen, the amendment mentions that a person who has unauthorisedly occupied the land, before getting it regularised he will have to satisfy such other conditions including the extent of the land by him. He should also satisfy such other restrictions, terms and conditions as are to be enumerated in detail in the Rules. So, though it would not have been probably different if we had left the entire thing to the Rules, yet we have taken precautions to see that some guidelines at least are provided in the original clause itself. So, this amendment which I have moved probably makes the intention of the Government very clear and the framing of the further rules will also be easier by having this particular clause in the enactment. I hope this amendment of mine will clear all the doubts and apprehensions that have been reasonably expressed by several Hon. Members of this House regarding the possibility of misuse of this enabling provision. I hope I will not be accused of too much of presumption if I were to claim that this particular amendment I have brought before this House reflects the consensus of opinion and the feeling expressed by several members. So, I hope the House would be able to accept this amendment unanimously.

Sri K. H. RANGANATH.—I beg to move an amendment to the amendment moved by Sri K. H. Srinivasa. I beg to move :

“That line 4, after the word ‘unauthorisedly’ insert ‘or unauthorisedly’ and delete ‘prior to the first day of July 1968’.”

Mr. SPEAKER.—Amendment moved :

“That in line 4, after the word ‘unauthorisedly’ insert ‘or authorisedly’ and delete ‘prior to the first day of July 1968’.”

Sri K. H. RANGANATH.—My intention in bringing this amendment is this: The Hon. Minister, while moving the Amendment Bill, was saying that these provisions are particularly included to benefit the Harijans and the poor. In Section 94, it is stated :

“Any person who shall unauthorisedly enter upon the occupation of any land set apart for any special purpose or any unoccupied land which has not been alienated...”

(SRI K. H. RANGANATH)

These lands set apart for special purpose are Gomal, Thopes, etc. From 1961, the Village Panchayats and the Revenue authorities have gone on granting those lands to the Harijans and the poor without noticing the special purpose for which those lands were set apart. That aspect was taken to the Courts and the Revenue Tribunal and the High Court have struck down those grants of lands. Those poor people to whom those lands were regularly granted by the Revenue authorities, are now without lands. We can take that they were occupying them authorisedly. With a view to making provision for such victims who were authorised to occupy those lands and who became victims of court judgements and who are likely to be affected, and for such contingencies, I have moved an amendment for adding "or authorisedly" after "unauthorisedly" in the clause. I think this small amendment would be accepted.

I have also asked in my amendment that the words "prior to the first day of July 1968" be deleted in the Clause. Supposing we put time limit. There may be cases pending before courts. There may be other contingencies also. Better we delete those words.

I hope the hon. mover of the amendment would accept my small amendment to the amendment proposed to clause 8.

SRI K. PUTTASWAMY.—Sir, this amendment of Sri Ranganath is not going to help the case. In that case, even though grant has been made, it cannot be considered to have been made authorisedly. It should be authorised under law. It is not enough if a Tahsildar or Deputy Commissioner grants it; the Officer or officers granting it, should have the various powers under the statute to grant it; otherwise the occupation cannot be considered as authorised.

SRI K. H. RANGANATH.—I did not read Section 94 for want of time. Section 94 says :

"Any person who shall unauthorisedly enter upon the occupation of any land set apart for any special purpose or any unoccupied land which has not been alienated and any person, who uses or occupies any such land to the use or occupation of which he is not entitled..."

Gomal land was granted to a person. Under the law the land vests with the Village Panchayat. The authorities sanctioned it to him and authorised him to occupy it.

SRI K. PUTTASWAMY.—There is no conflict regarding the objective. That objective can be achieved by the present amendment itself. Sri Ranganath's amendment is not going to help the matter.

SRI B. L. NARAYANASWAMY.—Sir, I beg to move :

"That at page 5 of the proposed Section 91A after the word "him" and before the word "and" in line 3 the words "in the

cases of encroachments of lands if the extent of original grants have not been measured and demarcated by bondhs and stones fixed before delivering possession to the grantees a sum not exceeding ten times the rate of original grant for the encroached extent with land revenue from the date of original grant of the land in the holding up to date of regularisation" shall be inserted.

"That the proviso to the proposed section 94A shall be deleted."

Mr. SPEAKER.—Amendment moved :

"That at page 5 of the proposed section 94A after the word 'him' and before the word 'and' in line 3 the words 'in the cases of encroachments of land if the extent of original grants have not been measured and demarcated by bondhs and stones fixed before delivering possessions to the grantees a sum not exceeding ten times the rate of original grant for the encroached extent with land revenue from the date of original grant of the land in the holding up to date of regularisation' shall be inserted."

"That the proviso to the proposed section 94A shall be deleted."

Sri B. L. NARAYANASWAMY.—Sir, My amendment is self-explicit. My only object in moving this amendment is to see that the innocent ryot is not penalised for no fault of his. This is a very rare case ; a very rare aspect irrespective of what has already been suggested and criticised. I may refer to the particular cases where even the abutting lands have been encroached upon. The ryots is ignorant of the encroachment made. Even till to-day such encroachments have not been brought to his notice. If the Government were to get all these lands resurveyed, the ryots will come to know the encroachment. In such cases of encroachments where the ryots have constructed wells and raised good trees, Government should exercise their power and see that the ryot will not be unnecessarily penalised for no fault of his. This amendment is absolutely necessary. I am sorry that the Hon. Minister, while replying to the debate, did not meet my point. I request him kindly to admit this amendment.

About the proviso, I have already stated that it gives room for unnecessary complication and litigation in the villages. So it is better, it is deleted.

Sri D. B. KALMANKAR.—Sir, I beg to move :

"That at page 4/5 in the proposed new section 94A at the end of first sentence the words 'provided that such person do not own or possess any other land' shall be inserted."

Mr. SPEAKER.—Amendment moved.

“That at page 4/5 in the proposed new Section 94A at the end of first Sentence the words ‘provided that such person do not own or possess any other land’ shall be inserted.”

Sri D. B. KALMANKAR.—The amendment moved by Sri Srinivasa has not been given to us. My submission is to ask for double. Secondly in that particular amendment it is vaguely mentioned that the extent of the land will be taken into consideration. My submission is that the limit of extent must also be mentioned. I request that a limit may be put which may be a standard acre or a basic holding, as the case may be.

Sri K. PUTTASWAMY.—Under the Land Grant Rules limits are prescribed.

Sri D. B. KALMANKAR.—My submission is that while granting, there must be limit mentioned in the section also.

ಶ್ರೀ ಎಂ. ನಾಗಪ್ಪ.—ಸ್ವಾಮಿ ಶ್ರೀಮಾನ್ ಶ್ರೀನಿವಾಸ್ ಅವರು ತಂದಂತಹ ತಿದ್ದುಪಡಿ ಯಲ್ಲಿ ಸಾರ್ವಜನಿಕವಾಗಿ ನನ್ನ ತಿದ್ದುಪಡಿಯ ಅರ್ಥ ಪೂರ್ಣವಾಗುತ್ತದೆ. ಅದಕ್ಕಾಗಿ ನಾನು ನನ್ನ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಅನ್ನು ಮೂವ್ ಮಾಡುವುದಕ್ಕೆ ಇಷ್ಟಪಡುವುದಿಲ್ಲ. I thank the Government for agreeing to impose a condition while framing the rules.

Sri L. SRIKANTIAH.—I am thankful to the Government because with mutual consultation the amendment is brought. But, I am prepared to accept the amendment brought forward by Sri Ranganath, if the Hon. Minister is prepared to give three assurances. The word “unauthorised” is not defined in the Mysore Land Grant Rule 1969. I want an assurance that the Land Grant Rule will be suitably amended and redrafted in consonance with the rules and conditions to be framed under section 54-A. The second is, in the amendment brought under “lands held by him”, my request is that it may be changed is “the lands held by him and his family”. At least in the rules that would be framed it should be made clear that under the name of family, he will not be allowed to have much land. The third request is, from my personnel experience until 1966 nobody noticed that by a notification in the year 196 the Government had vested all reserve lands in the panchayats. For the first time before arguing in the tribunals we came to know about it. The tribunal was helpless and they struck down all grants made by Tahsildars, Deputy Commissioners and said that we can have remedy from the Government. All those people without a *saguvali* chit are in a position to be evicted from the land. Some protection must be there for them.

Sri C. K. RAJAIAH SHETTY.—Sir, in reply the Minister was pleased to say that poor people should not be kept under hardship because of the value of the land. The amendment of Sri Srinivas says that the value fixed should be double.

Sri K. PUTTASWAMY.—It is “not exceeding”.

Sri C. K. RAJAIAH SHETTY.—If that is so, I accept it.

ಶ್ರೀ ಎನ್. ಹುಡ್ಕಮಾಸ್ತಿಗೌಡ.—ಸ್ವಾಮಿ, ನಾನು ಒಂದು ವಿಷಯವನ್ನು ಹೇಳುತ್ತೇನೆ ಆ ಏನೆಂದರೆ ಈಗ ಶ್ರೀಮಾನ್ ಶ್ರೀನಿವಾಸ್ ಅವರು ತಂದಿರತಕ್ಕ ತಿದ್ದುಪಡಿಯಿಂದ ಏನಾಗುತ್ತ ಎಂಬುದನ್ನು ನಾನು ಸ್ವಲ್ಪ ಹೇಳುತ್ತೇನೆ. ಈಗ ರ್ಯಾಂಡ್ ಗ್ರಾಂಟ್ ರೂಲ್ಸ್ ಪ್ರಕಾರ ಸಫಿಷಿಯಂ ಹೋಲ್ಡರ್ಸ್ ಎನ್ನುವುದಕ್ಕೆ ಒಂದು ಡೆಫಿಂಷನ್ ಇದೆ. ಸಫಿಷಿಯಂಟ್ ರ್ಯಾಂಡ್ ಹೋಲ್ಡ್ ರ್ಯಾಂಡ್ ಅಲ್ಲದೆ ಹೆಚ್ಚು ಜಮೀನು ಇರುವವರಿಗೆ ಮತ್ತು ಜಮೀನು ಕೊಡುವುದಕ್ಕೆ ಅವಕಾಶ ಬಾರದು. ಸಫಿಷಿಯಂಟ್ ಹೋಲ್ಡರ್‌ಗಿಂತ ಕಡಿಮೆ ಇದ್ದವರಿಗೆ ಜಮೀನು ಕೊಡುವುದಕ್ಕೆ ಅವಕಾಶ ಇರಬೇಕು. ರ್ಯಾಂಡ್ ಗ್ರಾಂಟ್ ರೂಲ್ಸ್‌ನಲ್ಲಿ ಇದನ್ನು ಸರಿಯಾಗಿ ನಮೂದು ಮಾಡಬೇಕು.

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ.—ಈಗ ಮಾನ್ಯ ಶ್ರೀನಿವಾಸ್ ಅವರು ತಂದಿರತಕ್ಕ ತಿದ್ದುಪಡಿ ಪ್ರಕಾರ ಅಂಥಾ ಕೇಸುಗಳನ್ನೂ ಕೂಡ ಗಮನದಲ್ಲಿ ತೆಗೆದುಕೊಂಡು ಅವರಿಗೆ ಪರಿಹಾರಕೋ ವುದಕ್ಕೆ ಅವಕಾಶ ಇದೆಯೆಂದು ನಾನು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ.

ಶ್ರೀ ಕೆ. ಪ್ರಭಾಕರ್.—ಸ್ವಾಮಿ ನಾನು ಮೊದಲೇ ಹೇಳಿದಹಾಗೆ ಈಗ ಕೆಲವರು ದರಬಾ ಜಮೀನಿಗೋಸ್ಕರ ಅರ್ಜಿಯನ್ನು ಹಾಕಿಕೊಳ್ಳುತ್ತಾರೆ. ಸರ್ಕಾರದವರು ಅದಕ್ಕೆ ಕೆಲವು ಏರ್ಜೆನ್ ಕಂಡೀಷನ್ಸ್ ಹಾಕಿ ಅಂಥಾ ಅರ್ಜಿಗಳನ್ನು ವಜಾ ಮಾಡುತ್ತಾರೆ. ಆದರೆ ಅದೇ ಭೂಮಿಯು ಕೆಲವರಿಂದ ಬಗರೆ ಹುಕುಂ ಮಾಡಿಸಿ ಅದರ ಬಗ್ಗೆ ಏನೋನೋ ಕೈವಾಡ ನಡೆಸಿ ಆ ಜಮೀನುಗಳ ಬಾಯುಂ ಮಾಡುವ ಸಂದರ್ಭಗಳು ಬರುತ್ತವೆ. ಈಗ ಬಗರೆ ಹುಕುಂ ಮಾಡಿದವರ ಬಗ್ಗೆ ರೆಕಾರ್ಡ್ ಇರುವುದಿಲ್ಲ. ಆದರೆ ದರ್ಕಾನ್ತು ಜಮೀನಿಗೋಸ್ಕರ ಅರ್ಜಿ ಹಾಕಿದಂತಾದ್ದು ದಾಖಲೆ ಇರುತ್ತ ಇಂಥಾ ಸಂದರ್ಭದಲ್ಲಿ ಮೊದಲು ಋರು ದರಬಾನ್ತು ಜಮೀನಿಗೋಸ್ಕರ ಅರ್ಜಿಯನ್ನು ಹಾಕಿದ್ದರೆ ಅವರಿಗೆ ಜಮೀನು ಮಂಜೂರು ಮಾಡಬೇಕು. ಆಮೇಲೆ ಎರಡನೆಯ ವಿಷಯ ಏನೆಂದರೆ, ಬಗರೆಹುಕುಂ ಜಮೀನನ್ನು ಮಾಡಿರುವವರಿಗೆ ಎಷ್ಟು ವರ್ಷ ಮಾಡಿದರೆ, ಈ ಜಮೀನನ್ನು ಅವು ಕೊಡುತ್ತೀರಿ? ಮತ್ತು ಬೆಜನಿಗೆ ಎಷ್ಟು ಸಿಗುವಂತೆ ನಿಗದಿ ಮಾಡಿದ್ದೀರಿ? ಇಂಥ ಸಂದರ್ಭ ದಲ್ಲಿ ಬಾಜುದಾರರ ಹೇಳಿಕೆಯನ್ನು ತೆಗೆದುಕೊಂಡು ಜಮೀನನ್ನು ಮಂಜೂರು ಮಾಡಬೇಕು. ಎರಡು ವಿಚಾರಗಳನ್ನು ಮನಸ್ಸಿನಲ್ಲಿಟ್ಟುಕೊಳ್ಳಬೇಕು.

ಶ್ರೀ ಬೋಳಿ ರಘುರಾಮಶೆಟ್ಟಿ.—ಮಾನ್ಯ ರೂಲ್ಸ್ ಪ್ರಕಾರ ಈ ಕುಮ್ಮಿ ರ್ಯಾಂಡ್ ರೀತಿಯ ಒಂದು provisions ಮಾಡಬೇಕು. ಆದ್ದರಿಂದ ಮಾನ್ಯ ರಂಗನಾಥರವರು ತಂದಂ ಆಮೆಂಡ್‌ಮೆಂಟನ್ನು ಸೇರಿಸಿದರೆ ಒಳ್ಳೆಯದು ; ಮತ್ತು ಹಾಗೆ ಸೇರಿಸಿದರೆ ಅವರಿಗೆ ಅಸೈನ್‌ಮೆಂ ಮಾಡುವುದಕ್ಕಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಮಾನ್ಯ ರಂಗನಾಥರವರು ಹೇಳಿದ ಶಬ್ದವನ್ನು ಇದ್ದ ಹಾಕಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

Sri K. H. SRINIVAS.—I am unable to accept the amendment to n amendment. It is ture that there may be some land grant cases whi are hard hit by a decision of the High Court of Mysore which has inte preted the circular issued by the Government of Mysore in a particul way. I am of opinion that even in those particular cases the partiu grantees have already been put in possession of the lands held by the and so they also are being benefited by this particular amendment. they have not already been put in possession of the lands, they will l considered under the regular Land Grant Rules by the Authoritie Therefore, this particular amendment is going to help all those case but the amendment that has been suggested by the hon. Member S Ranganath will not help this particular class of holders, For the reasons I am unable to accept his amendment.

Sri H. V. KOUJALGI.—In the first place, I am thankful to the ho Members especially on the other side for their co-operation even thoug the amendment moved by the hon. Member Srinivas could not be typ and circulated to them. That was because it was drafted at t eleventh hour taking the consensus of the House and in onsultati with some of the hon. Members on the other side and they were pleas

(SRI H. V. KOUJALGI)

to agree to it. So I request them to accept that amendment and I also accept it.

So far as the amendments suggested by other hon. Members are concerned, I have carefully heard them, but in view of this particular amendment, I think that those amendments will not be proper. Under the circumstances I request them to withdraw their amendments.

Sri B. L. NARAYANASWAMY.—I press for my amendment.

Mr. SPEAKER.—Now I shall put the amendments to the House. The first amendments are those of Sri B. L. Narayanaswamy.

The question is :

(i) "That at page 5 of the proposed section 94A after the word 'him' and before the word 'and' in line 3 the words 'in the cases of encroachments of lands if the extent of original grants have not been measured and demarcated by bonds and stones fixed before delivering possession to the grantees a sum not exceeding ten times the rate of original grant for the encroached extent with land revenue from the date of original grant of the land in the holding up to date of regularisation' shall be inserted."

"(ii) the proviso to the proposed section 94A shall be deleted."

The amendment was negatived.

Next I will put amendment 3 of Sri Kalamankar

The question is :

"That at pages 4-5 in the proposed new section 94A at the end of first sentence the words 'provided that such persons does not own or possess any other land' shall be inserted."

The amendment was negatived.

Now I shall put the amendment to the amendment moved by Sri Ranganath.

The question is :

"That in line 4, after the word 'unauthorisedly' insert 'or authorisedly' and delete 'prior to the first day of July 1968'."

The amendment was negatived.

Now I shall put the amendment of Sri Srinivas.

The question is :

“ That for the proposed section 94A, the following section shall be substituted, namely :—

“ 94A. Regularisation of certain cases of unauthorised occupation.— Nothing in section 94 shall prevent the Deputy Commissioner if the person liable to be evicted under that section who has unauthorisedly occupied the land prior to the first day of July 1968 and who satisfied such other conditions (including the extent of land held by him) so desires, to grant the land or any portion thereof to such person in accordance with such rules relating to restriction, terms and conditions, including the sum payable not exceeding twice the market value of such land, as the State Government may make.”

The amendment was adopted.

I shall put clause 8, as amended, to the House.

The question is :

“ That clause 8, as amended, do stand part of the Bill.

The motion was adopted.

Clause 8, as amended, was added to the Bill.

CLAUSE 9.

Mr. SPEAKER.—Now There is an amendment to clause 9 in the name of hon. Member Sri Nagappa. He is not here to move it. So I shall put the clause to the House.

The question is :

“ That clause 9 do stand part of the Bill.”

The motion was adopted.

Clause 9 was added to the Bill.

Mr. SPEAKER.—The question is :

That clause 1, the long title and the enacting formula do stand part of the Bill.

The motion was adopted.

Clause 1, the long title and the Enacting formula were added to the Bill.

Motion to pass

Sri H. V. KOUJALGI.—I beg to move :

“ that the Mysore Land Revenue (Amendment) Bill, 1970, as amended, be passed.”

Mr. SPEAKER.—The question is :

“ That the Mysore Land Revenue (Amendment) Bill, 1970, as amended, be passed.”

The motion was adopted.

Mr. SPEAKER.—Now there are two notices and calling attention motion before the House. Now the time has to be extended.

Is it the opinion of the House that the time be extended up to 2-30 P.M. ?

HON. MEMBERS.—Yes.

Mr. SPEAKER.—The time is extended up to 2-30 P.M. Now we will first take up the call attention notices.

Calling Attention to matters of urgent Public Importance :

(i) re : Collecting of Land Revenue at new Rates in Tarikere Taluk

Sri HANJI SHIVANNA (Tarikere).—I call the attention of the Minister for Revenue to the collection of land revenue at new rates in Tarikere Taluk, by coercive methods.

Sri H. V. KOUJALGI (Minister for Revenue).—Sir, The General objections received from all quarters were considered before the revised standard rates were submitted for the Vote of the Assembly in 1965. Although the rates were approved by this Legislature the introduction of these rates has been held up by general agitation about the defects found in Settlement reports in a few areas. Government has reviewed all the cases and decided to revise the settlement again in 4 Zones under the powers recently taken by the introduction of Section 114A of the Mysore Land Revenue Act passed by this Assembly in the last session. It has not been found necessary to make use of this provision in Tarikere Taluk and that is why no revision settlement has been taken up in this taluk as it been done in some other taluks of Chikmagalur District.

2-00 P.M.

The unsatisfactory rainfall during the last four years was a general calamity in most parts of the State and is not peculiar to Tarikere